

FILED

MAR 05 2018

Clerk, U.S. District Court
Texas Eastern

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

§

v.

§

No. 4:18CR **43**

§

Judge Mazzant

FRANK CACOPARDO

§

ELEMENTS OF THE OFFENSE

Defendant **Frank Cacopardo** is charged in Count One of an Information with a violation of 18 U.S.C. § 1955, conducting a gambling business that violates Texas state law. The essential elements which must be proved beyond a reasonable doubt in order to establish a violation of that section are:

1. The defendant conducted, financed, managed, supervised, directed or owned all or part of a gambling business; and
2. That such gambling business:
 - a. Violated the laws of the state in which it was conducted, namely, Texas; and
 - b. Involved five or more persons who conducted, financed, managed, supervised, directed or owned all or part of said illegal gambling business; and
 - c. has been or remained in substantially continuous operation for more than 30 days, or had a gross revenue of \$2,000 or more on any single day.

Respectfully submitted,

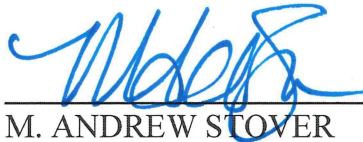
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Certificate of Service

I certify that a copy of the foregoing was delivered via CM/ECF to Jerry Biesel, counsel for defendant, on March 2, 2018.



M. ANDREW STOVER